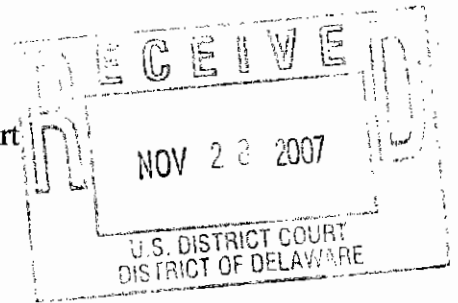


In The United States District Court  
For The District Of Delaware



Shane K. Hopkins,  
Plaintiff,

V.

CA NO. 05-870-SLR

C/O John Pusey, Etal.  
Defendant,

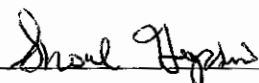
Comes Now The Plaintiff Shane K. Hopkins Response To The Defendants Reply In Support Of Their Motion For Summary Judgment.

- 1) In Response To The Defenses Complaint Concerning The Plaintiffs Untimely Answer To Their Motion For Summary Judgment The Plaintiff Would Like To Offer The Following Explanations.
  - A) The Plaintiff Was Unaware That There Are Local Rules That Affected The Amount Of Time That The Plaintiff Had To Respond To Their Motion.
  - B) The Plaintiff Is Confronted With Inherent Difficulties Gaining Access To The Law Library. There Is A Process That Takes An Average Of (7) Days To Obtain An Appointment.
  - C) The Plaintiff Has Never Used A Computer Before Now, And Has Never Typed A Document Of Any Kind.
- 2) With Regard To The Plaintiffs Fourth Amendment Claim Against C/O John Pusey And C/O Joe Smith. The Plaintiff Does Not Fully Understand The Context In Which The Law Is Applied. Therefore The Plaintiff Would Like To Stand By His Previous Pleadings And Rely On The Courts Determinations As To The Applicability Of The Plaintiffs Fourth Amendment Claims.
- 3) With Regard To The Plaintiffs Fifth Amendment Claim Against C/O John Pusey And C/O Joe Smith. The Plaintiff Does Not Fully Understand How The Violation Of Due Process Law Should Be Applied. The Defendants Are Responsible For Filing

Institutional Reports That Caused The Plaintiff To Be Moved To A Higher Security Housing Unit Where The Plaintiff Was Denied Any Opportunity To Earn Good Time And Was Confined To A Cell For Approximately (18) Months. The Institutional Hearing Officer Is Clearly Responsible For The Deprivations Of The Plaintiffs Due Process Rights During The Institutional Hearing. However The Defendants Reports Are The Driving Factor Behind Those Due Process Violations.

- 4) With Regard To The Exhaustion Of Administrative Remedies. The Plaintiff Would Like To Stand By His Previous Pleadings. Every Attempt Was Made To Address The Issue Administratively. The Issues Were Deemed To Be "Non-Grievable" And The Deputy Warden Determined That The Matter Was "Closed".
- 5) Your Honor The Plaintiff Feels That That The Defense Filed This Motion For Summary Judgment In An Attempt To Preempt The Courts Decisions Concerning Motions That The Plaintiff Has Previously Filed. There Are Several Motions Currently Before This Court. There Is A Motion Requesting Permission To Amend The Complaint. There Is A Motion Requesting Permission To Depose The Defendants And Several Non-Named Witnesses. And There Is A Motion Requesting That The Court Issue Subpoenas Upon Several Non-Named Witnesses.
- 6) Therefore The Plaintiff Prays That This Court Will Find That The Plaintiff Has Made A Sufficient Showing Of Cause That Would Preclude The Defendants From Obtaining Summary Judgment At This Time.

Dated November 20, 2007

  
Shane K. Hopkins # 253918  
D.C.C.  
1181 Paddock Rd.  
Smyrna Delaware,  
19977

Certificate of Service

I, SHANE Hopkins, hereby certify that I have served a true  
And correct cop(ies) of the attached: Response to Summary Judgment  
Motion. upon the following  
parties/person (s):

TO: STACEY XARHOLAKOS  
Deputy Attorney General  
820 N. FRENCH STREET 6TH FLOOR  
WILMINGTON DELAWARE  
19801

TO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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TO: \_\_\_\_\_  
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TO: \_\_\_\_\_  
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BY PLACING SAME IN A SEALED ENVELOPE, and depositing same in the United  
States Mail at the Delaware Correctional Center, Smyrna, DE 19977.

On this 25<sup>th</sup> day of NOVEMBER, 2007

Shane Hopkins

IM Shade Hopkins

SBI# 253918 UNIT C

DELAWARE CORRECTIONAL CENTER

1181 PADDOCK ROAD

SMYRNA, DELAWARE 19977

Legal Mail  
Mailed 11-25-07

Office of The Clerk  
United States District Court  
844 N. King Street Lockbox #18  
Wilmington Delaware  
19801-3570

158013570 0012

11/28/2007 11:28:07 AM

